

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Stephanie Desimone, et al. v. The Islamic Republic of Iran</i>	21-cv-07679 (GBD)(SN) ECF Case

**MOTION FOR ENTRY OF PARTIAL FINAL DEFAULT JUDGMENT AGAINST
THE ISLAMIC REPUBLIC OF IRAN AS TO LIABILITY AND DAMAGES**

PLEASE TAKE NOTICE that upon the accompanying declaration of Robert Keith Morgan (“Morgan Declaration”), with exhibits, and the accompanying memorandum of law, and in accordance with this Court’s November 14, 2023 Order setting forth such information as is required by the Court to adjudicate this motion (*See* ECF 9425), the Plaintiffs herein, Stephanie Desimone, Individually and as the Personal Representative of the Estate of Patrick Dunn (collectively “Plaintiffs”), respectfully move the Court for an order of judgment by default in their favor and against the Defendant, the Islamic Republic of Iran under 28 U.S.C. § 1605A(c). Plaintiffs herein are seeking damages including, but not limited to, pain and suffering, solatium, and pre-judgment interest. The amount of the judgments Plaintiffs seek are based on those awarded in prior judgments entered by this Court in this litigation, specifically, *Havish v. bin Laden* (ECF 2618), and *Hoglan v. The Islamic Republic of Iran* (ECF 3363).

Stephanie Desimone is the Personal Representative of the Estate of Patrick Dunn, who was a citizen of the United States and a member of the United States Navy at the time of his death on September 11, 2001 resulting from the terrorist attacks on the Pentagon. Accordingly, she moves for entry of a judgment for pain and suffering damages of \$2,000,000 on behalf of the estate. She also seeks leave from the Court to submit future motions asserting economic loss damages on behalf of the estate. Furthermore, Stephanie Desimone, individually, a national of the United States at the time of the September 11, 2001 terror attack on the Pentagon, moves for a judgment

against the Islamic Republic of Iran for solatium damages, as the surviving spouse of Patrick Dunn, in the amount of \$12,500,000.

Plaintiffs move that any pain and suffering and/or solatium damages awarded herein include prejudgment interest at the rate of 4.96 percent per annum, compounded annually from the period from September 11, 2001, until the date of the judgment. Plaintiffs also move for permission to seek punitive damages in the future, if appropriate.

Dated: May 1, 2024

Respectfully submitted,

/s/ Robert Keith Morgan

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